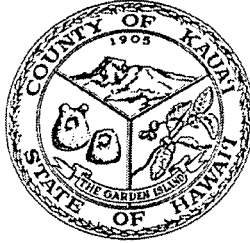


COUNTY COUNCIL

Jay Furfaro, Chair
Mason K. Chock, Sr., Vice Chair
Tim Bynum
Gary L. Hooser
Ross Kagawa
Mel Rapozo
JoAnn A. Yukimura



OFFICE OF THE COUNTY CLERK

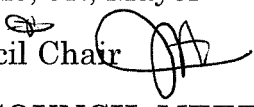
Ricky Watanabe, County Clerk
Jade K. Fountain-Tanigawa, Deputy County Clerk

Telephone (808) 241-4188
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Email cokcouncil@kauai.gov

Council Services Division
4396 Rice Street, Suite 209
Lihue, Kauai, Hawaii 96766

MEMORANDUM

April 24, 2014

TO: Bernard P. Carvalho, Jr., Mayor
FROM: Jay Furfaro, Council Chair 
RE: **APRIL 23, 2014 COUNCIL MEETING RECAP**

This is to inform you of the action taken by the Council at its April 23, 2014 Council Meeting:

CONSENT CALENDAR:

C 2014-114 Communication (03/19/2014) from the County Engineer, transmitting for Council consideration, a Resolution establishing a crosswalk, a bus stop, shared-use paths, one-way traffic lane, and intersection modifications on 'Eiwa Street, Lihue District, County of Kauai, based on planning, engineering, traffic investigation, and implementation of complete street concepts. *(Received for the Record.)*

C 2014-115 Communication (04/01/2014) from the Director of Finance, transmitting for Council information, the Period 8 Financial Report – Detailed Budget Report, Statement of Revenues (Estimated and Actual), Statement of Expenditures and Encumbrances, and Revenue Report as of February 28, 2014, pursuant to Section 21 of Ordinance No. B-2013-753, relating to the Operating Budget of the County of Kauai for Fiscal Year 2013-2014. *(Copies of the Period 8 Financial Reports as of February 28, 2014 on file in the County Clerk's Office.) (Received for the Record.)*

C 2014-116 Communication (04/03/2014) from Councilmember Yukimura, transmitting for Council consideration, an amendment to the Kauai County Charter relating to the Cost Control Commission, to clarify that "County" government employees would be disqualified, and allow other government service employees to serve on the Commission. *(Received for the Record.)*

C 2014-117 Communication (04/09/2014) from the County Engineer, transmitting for Council consideration, a Resolution for establishing crosswalks, reverse angle parking, bicycle lanes, and intersection modifications on Hardy Street, Lihue District, County of Kauai, based on planning, engineering, traffic investigation, and implementation of complete street concepts. *(Received for the Record.)*

C 2014-118 Communication (04/10/2014) from Council Chair Furfaro and Council Vice Chair Chock, transmitting for Council consideration, a proposed Draft Supplemental Money Bill in the amount of \$12,000 from the General Fund – Unassigned Fund Balance to the Office of Economic Development for an 89-Day contract hire that would be housed in the Office of Economic Development to assist with the Ka Aha Hula O Halauola Conference and the anticipated marketing and coordinating efforts necessary prior to the Conference. ***(Received for the Record.)***

C 2014-119 Communication (04/10/2014) from Councilmember Yukimura, providing written disclosure of a possible conflict of interest and recusal, relating to the Comprehensive Economic Development Strategies (CEDS) – Keiki to Career Workforce Readiness appropriation in the Office of Economic Development, Fiscal Year 2014 – 2014 Mayor's Operating Budget submittal, as she is on the Leadership Council for the Keiki to Career – Workforce Readiness initiative. ***(Received for the Record.)***

C 2014-120 Communication (04/14/2014) from Councilmember Yukimura, transmitting for Council consideration, an amendment to Article III, Section 3.10 of the Kaua'i County Charter, as amended, relating to the setting of golf course fees, by delegating to the Executive Branch the authority to set fees for the Wailua Golf Course, a power which, under the present Charter, lies exclusively with the County Council. ***(Received for the Record.)***

COMMUNICATIONS:

C 2014-121 Communication (04/01/2014) from the Hawai'i State Association of Counties (HSAC) Treasurer, transmitting for Council approval, the proposed HSAC Fiscal Year 2015 Annual Operating Budget, as amended, pursuant to Section 21 of the HSAC bylaws. ***(Approved.)***

C 2014-122 Communication (04/07/2014) from the Acting Director of Personnel Services, transmitting for Council information, the January-March 2014 Department of Personnel Services Quarterly Report, pursuant to Section 19 of Ordinance No. B-2013-753, relating to the Operating Budget of the County of Kaua'i for the Fiscal Year 2013-2014, which includes new hires, transfers, reallocations, promotions, and vacancies for the second quarter. ***(Received for the Record.)***

C 2014-123 Communication (04/09/2014) from Mauna Kea Trask, First Deputy County Attorney, transmitting for Council information the Quarterly Report on Settled Claims Against the County of Kaua'i from January 1, 2014 through March 31, 2014. ***(Received for the Record.)***

C 2014-124 Communication (04/17/2014) from the County Attorney, requesting authorization to expend funds up to \$100,000 for Special Counsel's continued services to advise and represent the County Council in matters relating to the investigation of personnel matters involving the County Auditor's Office, and related matters (including Ernesto G. Pasion vs. County of Kaua'i, et al., Civil No. 13-1-0340 (Fifth Circuit Court)), and related matters. ***(Approved.)***

C 2014-125 Communication (04/17/2014) from the County Attorney, requesting authorization to expend funds up to \$15,000 to retain Special Counsel to advise the Council concerning coverage under the County's insurance policy with Everest National Insurance Company, in connection with the lawsuit Tim Bynum vs. County of Kaua'i, et al., Civil No. CV12-00523 JMS-RLP (United States District Court), and related matters. ***(Deferred; Pursuant to Council Rule No. 2(a).)***

LEGAL DOCUMENTS:

C 2014-126 Communication (03/19/2014) from the Chief of Police, recommending for Council approval, a two-year extension beginning December 1, 2013 to December 1, 2015, of the Memorandum of Understanding for use of the Hanapēpē Armory facilities and property located at Building 1, 1-3460 Kaumuali'i Highway, Hanapēpē, Kaua'i, Hawai'i, as a mini-substation by the Kaua'i Police Department, and to indemnify the Hawai'i Army National Guard (HIARNG).

- Extension of Memorandum of Understanding (MOU) between the County of Kaua'i and the Hawai'i Army National Guard (HIARNG) ***(Approved.)***

C 2014-127 Communication (03/31/2014) from the County Engineer, recommending Council approval of a Right-of-Entry Agreement with Association of Apartment Owners of Lae Nani, Inc., for the purpose to allow maintenance of an existing drainage system that crosses the Lae Nani property, situated at Tax Map Key (TMK) No: (4)4-3-02:10.

- Right-of-Entry Agreement ***(Approved.)***

CLAIMS:

C 2014-128 Communication (03/31/2014) from the Deputy County Clerk, transmitting a claim filed against the County of Kaua'i by Kimo M. Keawe, for damages to his vehicle, pursuant to Section 23.06, Charter of the County of Kaua'i. ***(Referred to the County Attorney's Office for disposition and/or report back to the Council.)***

C 2014-129 Communication (04/07/2014) from the Deputy County Clerk, transmitting a claim filed against the County of Kaua'i by Lisa Loketi, for personal injury, pursuant to Section 23.06, Charter of the County of Kaua'i. ***(Referred to the County Attorney's Office for disposition and/or report back to the Council.)***

C 2014-130 Communication (04/07/2014) from the Deputy County Clerk, transmitting a claim filed against the County of Kaua'i by Patrick and Lisa McCluskey, for damages done to their vehicle, pursuant to Section 23.06, Charter of the County of Kaua'i. ***(Referred to the County Attorney's Office for disposition and/or report back to the Council.)***

C 2014-131 Communication (04/14/2014) from the Deputy County Clerk, transmitting a claim filed against the County of Kaua'i by Tire Warehouse, for damages to their vehicle, pursuant to Section 23.06, Charter of the County of Kaua'i. ***(Referred to the County Attorney's Office for disposition and/or report back to the Council.)***

C 2014-132 Communication (04/14/2014) from the Deputy County Clerk, transmitting a claim filed against the County of Kaua'i by Kaua'i Island Utility Cooperative, for damage to their property, pursuant to Section 23.06, Charter of the County of Kaua'i. ***(Referred to the County Attorney's Office for disposition and/or report back to the Council.)***

C 2014-133 Communication (04/15/2014) from the Deputy County Clerk, transmitting a claim filed against the County of Kaua'i by Farmers Insurance Hawai'i, Inc., as subrogee for Bruce Stine, for damages to his vehicle, pursuant to Section 23.06, Charter of the County of Kaua'i. *(Referred to the County Attorney's Office for disposition and/or report back to the Council.)*

COMMITTEE REPORTS: APPROVED.

RESOLUTIONS:

Resolution No. 2014-16 – RESOLUTION AUTHORIZING THE FILING OF THE KAUA'I COUNTY 2014 ACTION PLAN (COMMUNITY DEVELOPMENT BLOCK GRANT) WITH THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, UNITED STATES OF AMERICA, FOR A GRANT UNDER TITLE I OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974 AND 1987 (PUBLIC LAWS 93-383 AND 100-242), AS AMENDED *(Approved.)*

Resolution No. 2014-26 – RESOLUTION ESTABLISHING CROSSWALKS, BUS STOP, SHARED-USE PATHS, ONE-WAY TRAFFIC LANE, AND INTERSECTION MODIFICATIONS ON 'EIWA STREET, LIHU'E DISTRICT, COUNTY OF KAUA'I *(Referred to the May 7, 2014 Public Works / Parks & Recreation Committee Meeting.)*

Resolution No. 2014-27 – RESOLUTION PROPOSING A CHARTER AMENDMENT RELATING TO THE COST CONTROL COMMISSION *(Public Hearing scheduled for May 28, 2014, then referred to the June 10, 2014 Council Meeting.)*

Resolution No. 2014-28 – RESOLUTION ESTABLISHING CROSSWALKS, REVERSE ANGLE PARKING, BICYCLE LANES, AND INTERSECTION MODIFICATIONS ON HARDY STREET, LIHU'E DISTRICT, COUNTY OF KAUA'I *(Referred to the May 7, 2014 Public Works / Parks & Recreation Committee Meeting.)*

Resolution No. 2014-29 – RESOLUTION PROPOSING A CHARTER AMENDMENT RELATING TO SETTING GOLF COURSE FEES COMMISSION *(Amended to Resolution No. 2014-29, Draft 1; Public Hearing scheduled for May 28, 2014, then referred to the June 10, 2014 Council Meeting.)*

BILLS FOR FIRST READING:

Proposed Draft Bill (No. 2544) – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2013-753, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUA'I, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2013 THROUGH JUNE 30, 2014, BY REVISING THE AMOUNTS ESTIMATED IN THE GENERAL FUND *(Office of Economic Development, Wages and Hourly Pay – Ka Aha Hula O Halauola Conference Assistant – \$12,000) (Approved on 1st reading, Public Hearing scheduled for 05/28/2014, and referred to the Finance & Economic Development (Tourism / Visitor Industry / Small Business Development / Sports & Recreation Development / Other Economic Development Areas) Committee.)*

BILLS FOR SECOND READING:

Bill No. 2515, Draft 1 – A BILL FOR AN ORDINANCE AMENDING SECTION 21-9.2 OF THE KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO INTEGRATED SOLID WASTE MANAGEMENT (*Received for the Record.*)

Bill No. 2534 – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2013-753, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2013 THROUGH JUNE 30, 2014, BY REVISING THE AMOUNTS ESTIMATED IN THE GENERAL FUND AND SOLID WASTE DISPOSAL FUND (*Solid Waste Disposal Fund, Solid Waste Recycling – Other Services - \$700,000*) (*Approved.*)

Bill No. 2535 – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2013-753, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2013 THROUGH JUNE 30, 2014, BY REVISING THE AMOUNTS ESTIMATED IN THE GENERAL FUND AND SOLID WASTE DISPOSAL FUND (*Solid Waste Disposal Fund, Solid Waste Disposal – Other Services - \$500,000*) (*Approved.*)

Bill No. 2536 – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2013-753, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2013 THROUGH JUNE 30, 2014, BY REVISING THE AMOUNTS ESTIMATED IN THE GENERAL FUND (*Department of Finance – Administration, Special Projects – Kauai Humane Society (Cat Licensing Fees) - \$10,000*) (*Approved.*)

Thank you for following up as appropriate, including confidential routing to any appropriate parties, and please do not hesitate to contact me or Council Services Staff if you need further information. Please note that this memo presents a summary of the action taken, and reference should be made to the official minutes for a complete record.

cc: KCT Department Heads (*Via E-mail*)
KCT CCs (*Via E-mail*)
Council Services Staff (*Via E-mail*)